



Request for City Council Committee Action from the Information Technology Department

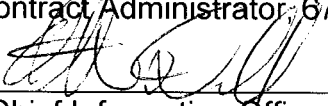
Date February 3, 2014

To: The Honorable John Quincy, Chair, Ways and Means Committee

Subject: CenturyLink Contract

Recommendation: Authorize proper City officials to customize the liability terms and conditions of the CenturyLink Contract

Prepared by Barb Malinski, Contract Administrator 673-3249

Submitted by Otto Doll , 673-3633
Chief Information Officer

Approved by Paul Aasen _____
City Coordinator

Presenter in Committee Otto Doll

Policy Review Group X Not Applicable

Permanent Review Committee (PRC) X Not Applicable

Prior Related Directives:

June 28, 2013 – Committee recommends the proper City officers be authorized to issue a Request for Proposals for telecommunication services in July 2013 in order to evaluate and execute agreements with one or more communication service providers to deliver the City's required services beginning on January 1, 2014.

December 5, 2013 - Committee recommends that the proper City officers be authorized to execute a two-year contract with CenturyLink for telecommunications services (voice and data) to achieve global scale as a managed hosting and cloud services provider. Said contract will run through December 31, 2015, in a not-to-exceed amount of \$2,000,000, and shall include the option of two additional two-year extensions, with customized liability terms and conditions. No additional appropriation is required.

Financial Impact: None. No additional appropriation is required.

Financial Impact (Check those that apply)

- ☒ No financial impact (If checked, go directly to Background/Supporting Information)
- ☐ Action requires an appropriation increase to the Capital Budget
- ☐ Action requires an appropriation increase to the Operating Budget
- ☐ Action provides increased revenue for appropriation increase
- ☒ Request provided to department's finance contact prior to the Committee Coordinator

Background/Supporting Information

In July 2013, Information Technology issued a Request for Proposals (RFP) for telecommunications services (voice and data) to achieve global scale as a managed hosting and cloud services provider.

Proper City officials approved a two-year contract with CenturyLink through December 31, 2015, for a not-to-exceed amount of \$2,000,000 and included the option of two (2) additional two-year extensions.

The City is requesting to customize the liability terms and conditions.

Request for Approval

IT requests approval to authorize proper City officials to customize the liability terms and conditions. The City's IT Department has reviewed the request with the City Attorney's Office to customize the terms and conditions in the CenturyLink Loyal Advantage Agreement as follows:

- The City may be subject to rate changes or regulations mandated by the legally constituted authorities (i.e. Federal Communications Commission(FCC) or Public Utilities Commission) without notice
- Each party agrees to be responsible to the other, their Affiliates, agents, and contractors against all third party claims for damages, liabilities, or expenses, including reasonable attorneys' fees, arising directly from performance of the Agreement and related to personal injury or death, or damage to personal tangible property that is alleged to have been caused by the negligence or willful misconduct of the responsible party unless otherwise stated in a CenturyLink Qwest Corporation (QC) Service Exhibit or Tariff.

The costs for the contract are covered within the IT allocation model. No additional appropriation is required.